

TITLE 327 WATER POLLUTION CONTROL BOARD

IDEM-S SUGGESTED CHANGES TO PROPOSED RULE

LSA Document #98-272 (WPCB)

Revisions made by LSA under the Administrative Rules Drafting Manual (IC 4-22-8-4(a)(2)) and incorporated into the printed version (LSA Document #98-272) have been made in the version of this rule presented to the board for final adoption.

Page 1 1. 327 IAC
8-2.1-1(a)

Insert **Aa@** after **AThis rule establishes the minimum requirements for the content of annual reports that@**.

Delete **Asystems@** after **Acommunity water@** and insert **Asystem@**.

Delete **Atheir@** after **Ashall deliver to@** and insert **Aits@**.

Delete **Ashall@** after **AThese reports@** and insert **Amust@**.

Delete **Asystems@** after **Ainformation on the quality of the water delivered by the@** and insert **Asystem@**.

Page 1 2. 327 IAC
8-2.1-1(c)

Delete **AAAs used in this rule,@** before **AAcustomers@**

means billing units or service connections and insert **AIn addition to the definitions contained in 327 IAC 8-2-1, the following definitions apply throughout this rule: (1)**.

Insert **(2) ADepartment** means the Indiana department of environmental management. after **Acustomers** means billing units or service connections to which water is delivered to a community water system.

Page 1 3. 327 IAC 8-2.1-1(d)

Delete **(d)** and insert **(3)**.

Delete **As used in this rule,**.

Page 2 4. 327 IAC 8-2.1-2(a)

Delete **Each** before **Aexisting community water system shall deliver** and insert **An**.

Delete **by** after **Aits first report** and insert **no later than**.

Delete **by** after **Aits second report** and insert **no later than**.

Delete **Aby@** after **Aand subsequent reports@** and insert **Ano later than@**.

Delete **Ashall@** after **AThe first report@** and insert **Amust@**.

Delete **Ashall@** after **AEach report thereafter@** and insert **Amust@**.

Page 2 5. 327 IAC
8-2.1-2(b)

Delete **Aby@** after **AA new community water system shall deliver it first report@** and insert **Ano later than@**.

Insert **Ano later than July 1"** after **Aafter its first full calendar year of operation and@**.

Page 2 6. 327 IAC
8-2.1-2(c)(1)

Delete **Aby@** after **Ano later than April 19, 1999,@** and insert **Ano later than@**.

Delete **Aby@** after **AApril 1, 2000, and@** and insert **Ano later than@**.

Page 2 7. 327 IAC
8-2.1-3(a)

Delete **AEach@** before **Acommunity water system shall provide@** and insert **AA@**.

Page 2 8. 327 IAC

8-2.1-3(b)

Delete **Ashall@** after **AThe report@** and insert **Amust@**.

Page 2 9. 327 IAC
8-2.1-3(b)(1)

Delete **AEach report shall identify@** before **Athe source or sources of the water@**.

Delete **Aby providing@** after **Adelivered by the community water system@** and insert **A, including@**.

Page 2 10. 327 IAC 8-2.1-3(b)(2)

Delete **Ashall@** after **AIf a source water assessment has been completed, the report@** and insert **Amust@**.

Delete **Ashall@** after **AWhere a system has received a source water assessment from the commissioner, the report@** and insert **Amust@**.

Page 2 11. 327 IAC
8-2.1-3(c)

Delete **AEach@** before **Areport must include the following definitions@** and insert **AThe@**.

Delete **Ashall@** after **AEach report@** and insert **Amust@**.

Page 3 12. 327 IAC
8-2.1-3(c)(1)

Insert quotations around the text of this subdivision.

Page 3 13. 327 IAC
8-2.1-3(c)(2)

Insert quotations around the text of this subdivision.

Page 3 14. 327 IAC
8-2.1-3(c)(3)

Delete **Ashall** after **A327 IAC 8-2-25**" and insert **Amust**.

Delete **A,** after **Ainclude**
and insert **A;**.

Insert quotations around
**A>variances and
exemptions= that means
state or Environmental
Protection Agency (EPA)
permission not to meet an
MCL or a treatment
technique under certain
conditions.**

Delete **Avariances** before **Aand exemptions** and insert **AVariances**.

Delete **Athat** after
**A>variances and
exemptions=.**

Delete **Astate** after
Ameans and insert
**AIndiana Department of
Environmental
Management.**

Insert **AU.S.** before
**AEnvironmental
Protection Agency.**

Delete **A(EPA)** after **AEnvironmental Protection Agency.**

Page 3 15. 327 IAC

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8-2.1-3(c)(4)

Delete **Aof environmental management@** after **Adepartment@**.

Delete **Ashall@** after **Aa treatment technique or an action level@** and insert **Amust@**.

Page 3 16. 327 IAC
8-2.1-3(c)(4)(A)

Insert quotations around the text of this clause.

Page 3 17. 327 IAC
8-2.1-3(c)(4)(B)

Insert quotations around the text of this clause.

Page 3 18. 327 IAC
8-2.1-3(d)

Delete **AThis subsection specifies the requirements for information to be included in each report for@** before **Acontaminants subject to mandatory monitoring@** and insert **AA report must include the information specified in this subsection for the following@**.

Delete **ACryptosporidium. It applies to the following contaminants@** after **Aother than@** and insert **ACryptosporidium@**.

Page 3 19. 327 IAC
8-2.1-3(d)(3)

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Insert A*@ after A**40 CFR 141.142**".

Page 3 20. 327 IAC
8-2.1-3(d)(4)

Delete A**shall**@ after A**The data relating to these contaminants**@ and insert A**must**@.

Delete A**shall**@ after A**chooses to include in its report**@ and insert A**must**@.

Page 3 21. 327 IAC
8-2.1-3(d)(5)

Delete A**shall**@ after A**The data**@ and insert A**must**@.

Delete A**the**@ after A**with EPA and**@.

Page 3 22. 327 IAC
8-2.1-3(d)(5)(A)

Delete A**shall**@ after A**the table or tables**@ and insert A**must**@.

Delete A**shall**@ after A**and the report**@ and insert A**must**@.

Page 3 23. 327 IAC
8-2.1-3(d)(5)(B)

Insert A*@ after A**40 CFR 141.142**".

Page 4 24. 327 IAC
8-2.1-3(d)(6)

Delete **Ashall@** after **Athe table or tables@** and insert **Amust@**.

Page 4 25. 327 IAC
8-2.1-3(d)(6)(C)

Delete **Ashall@** after **Athe table@** and insert **must@**.

Delete **Ashall@** after **Aand the report@** and insert **Amust@**.

Page 4 26. 327 IAC
8-2.1-3(d)(6)(E)

Delete **Ashall@** after **AThe report@** and insert **Amust@**.

Page 4 27. 327 IAC
8-2.1-3(d)(6)(I)

Delete **Ashall@** after **Asource water assessments, and@** and insert **Amust@**.

Delete **Ashall@** after **Athe report@** and insert **Amust@**.

Page 4 28. 327 IAC
8-2.1-3(d)(7)

Delete **A,@** after **Adifferent raw water sources@** and insert **A: (A)@**.

Delete **Ashall@** after **Athe table@** and insert **Amust@**.

Delete **Ashall@** after **Athe report@** and insert **Amust@**.

Delete **A.@** after **Aeach**

separate distribution system and insert **A**; or **(B)**.

Delete **Alternatively, systems** before **Amay produce separate reports** and insert **Athe system**.

Page 5 29. 327 IAC
8-2.1-3(d)(8)

Delete **Ashall** after **AThe table or tables** and insert **Amust**.

Delete **Ashall** after **Aand the report** and insert **Amust**.

Page 5 30. 327 IAC
8-2.1-3(d)(9)

Delete **ACryptosporium** after **Aother than** and insert **ACryptosporium**.

Delete **Ashall** after **Athe table or tables** and insert **Amust**.

Page 5 31. 327 IAC
8-2.1-3(e)

Insert **AEach report must contain** before **AThe following information**.

Delete **ACryptosporidium** after **AThe following information on** and insert **ACryptosporidium**.

Delete **Ais required** after

**And other
contaminants@.**

Page 5 32. 327 IAC
8-2.1-3(e)(1)

Delete **A***Cryptosporium*@
after **AI***f the system has
performed any
monitoring for*@ and insert
*A**Cryptosporium*@.

Delete **A***Cryptosporium*@
after **A***that indicates*@ and
insert *A**Cryptosporium*@.

Delete **A***shall*@ after **A***the
report*@ and insert **A***must*@.

Page 5 33. 327 IAC
8-2.1-3(e)(2)

Delete **A***shall*@ after **A***the
report*@ and insert **A***must*@.

Page 5 34. 327 IAC
8-2.1-3(e)(3)

Delete **A***considers*@ after
A*The commissioner*@ and
insert **A***and EPA
consider*@.

Page 5 35. 327 IAC
8-2.1-3(f)

Delete **A***(9)*@ after **A***In
addition to the
requirements of
subsection (d)*@ and insert
A*(6)*@

Delete **A***shall*@ after **A***the
report*@ and insert **A***must*@.

Delete **Athat occurred during the year covered by the report@** after **Anote any violation@**.

Insert **Athat occurred during the year covered by the report,@** after **Aof a requirement listed in this subsection@**.

Delete **AThe violations that shall be included are as follows@** after **Ato correct the violation@** and insert **AViolations of the following requirements must be included@**.

Page 6 36. 327 IAC
8-2.1-3(f)(2)

Delete **Ashall@** after **Athe report@** and insert **Amust@**.

Delete **A, Ainadequately@** after **Apotential health effects@** and insert **A; Ainadequately@**.

Page 6 37. 327 IAC
8-2.1-3(f)(3)

Delete **Ashall@** after **Athe report@** and insert **Amust@**.

Page 6 38. 327 IAC
8-2.1-3(f)(4)

Delete **Ashall@** after **Athe report@** and insert **Amust@**.

Page 6 39. 327 IAC
8-2.1-3(g)

Delete **Ashall@** after **Athe report@** and insert **Amust@**.

Page 6 40. 327 IAC
8-2.1-3(h)

Insert **AThe following@**
before **AAdditional information@**.

Delete **Athat shall@** after
AAdditional information@
and insert **Amust@**.

Delete **Ais as follows@** after
Acontained in the report@.

Page 6 41. 327 IAC
8-2.1-3(h)(1)

Delete **AThe report shall contain@** before **Aa brief explanation@**.

Delete **Ashall@** after
Acomparable language.
The report@ and insert
Amust@.

Page 7 42. 327 IAC
8-2.1-3(h)(1)(C)

Delete **Ashall@** after
Acontaminants in bottled water that@ and insert
Amust@.

Page 7 43. 327 IAC
8-2.1-3(h)(2)

Delete **Areport shall include the@** before
Atelephone number of the owner@.

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Page 7 44. 327 IAC
8-2.1-3(h)(3)

Delete **Adefined as** after
Anon-English speaking
residents, and insert **Ain**
which.

Delete **Aspeaking** after
Amore of the residents
and insert **Aspeak**.

Delete **Ashall** after **Athe**
report and insert **Amust**.

Page 7 45. 327 IAC
8-2.1-3(h)(4)

Delete **Ashall** after **AThe**
report and insert **Amust**.

Delete **A, which may**
include, but is not limited
to, time and place of
regularly scheduled
board meetings, after
Ainclude information.

Insert **AThis information**
may include, but is not
limited to, the time and
place of regularly
scheduled board
meetings, after **Aaffect the**
quality of water.

Page 8 46. 327 IAC
8-2.1-4(a)

Delete **AAll reports shall**
before **Aprominently**
display the language and
insert **AA report must**.

Delete **A,** after

prominently display the language@ and insert A;@.

Delete **Ashall@** after **AThese people@** and insert **Ashould@.**

Delete **AEPA and CDC @** after **Ahealth care providers.@** and insert **AU.S. Environmental Protection Agency and Centers for Disease Control@.**

Delete **ACryptosporidium@** after **Arisk of infection by@** and insert **ACryptosporidium@.**

Page 8 47. 327 IAC
8-2.1-4(b)(1)

Delete **Aa short informational statement about arsenic, such as, AEPA @** after **AInclude in its report@** and insert **Athe language; AThe U.S. Environmental Protection Agency@.**

Page 8 48. 327 IAC
8-2.1-4(c)

Insert **A(5)@** after **Afive@.**

Delete **A(5 mg/l)@** after **Amilligrams per liter@.**

Page 8 49. 327 IAC
8-2.1-4(c)(1)

Delete **A, a short informational statement about the effects of**

nitrate on children using language such as, after **Include in its report** and insert **the language;**.

Page 8 50. 327 IAC
8-2.1-4(d)

Delete **but fewer than** after **If a system detects lead above the action level in more than five percent (5%)** and insert **and up to and including**.

Page 8 51. 327 IAC
8-2.1-4(d)(1)

Delete **a short informational statement about the special impact of lead on children using language such as,** after **Include in its report** and insert **the language;**.

Page 9 52. 327 IAC
8-2.1-4(e)

Insert **in its report** after **it shall include**.

Page 9 53. 327 IAC
8-2.1-5(a)

Delete **Each** before **a community water system** and insert **A**.

Page 9 54. 327 IAC
8-2.1-5(b)

Delete **each** after **a good faith effort to** and insert **inform**.

Delete **Areach** after **AA good faith effort to** and insert **Ainform**.

Delete **Aa mix of** after **Abut is not limited to**.

Page 9 55. 327 IAC
8-2.1-5(c)

Delete **Aeach** after **Athe report to its customers** and insert **Aa**.

Page 9 56. 327 IAC
8-2.1-5(d)

Delete **Aeach** after **Athe report to its customers** and insert **Aa**.

Page 10 57. 327 IAC
8-2.1-5(e)

Delete **AEach** before **Acommunity water system** and insert **AA**.

Page 10 58. 327 IAC
8-2.1-5(f)

Delete **AEach** before **Acommunity water system** and insert **AA**.

Page 10 59. 327 IAC
8-2.1-5(g)

Delete **AAll** before **Acommunity water systems** and insert **AA**.

Delete **Asystems** after **Acommunity water** and insert **Asystem**.

Delete **Atheir** after **Ashall retain copies of** and insert **Aits**.

Page 10 60. 327 IAC
8-2.1-6(a)

Delete **Aall** after **Asection 3 of this rule** and insert **Aa**.

Delete **Asystems** after **Acommunity water** and

insert A**system**@.

Page 11 61. 327 IAC
8-2.1-6(a), Table 53-1:
Converting MCL
Compliance Values for
Customer Confidence
Reports

Renumber the table A**Table 6-1**".

Page 11 62. 327 IAC
8-2.1-6(a), Table 53-1:
Converting MCL
Compliance Values for
Customer Confidence
Reports

Delete A**Presence of
coliform bacteria in $\geq 5\%$
of monthly samples for
systems serving > 33,000
customers or presence of
coliform bacteria in more
than one sample per
month for systems
serving $\leq 33,000$
customers.**@ under column
four titled A**MCL in CCR
Units for Total Coliform
Bacteria**@ and insert A**5%
of monthly samples are
positive (systems that
collect forty (40) or more
samples per month); one
(1) positive monthly
sample (systems that
collect fewer than forty
(40) samples per month).**@

Page 11. 63. 327 IAC
8-2.1-6(a), Table 53-1:
Converting MCL
Compliance Values for
Customer Confidence
Reports

Delete **AE. coli** both times it appears row two, and insert **AE. coli**.

Page 14. 64. 327 IAC
8-2.1-6(a), Table 53-1:
Converting MCL
Compliance Values for
Customer Confidence
Reports

Delete **A0** under column
five titled **AMCLG in
CCR Units** for **A73.
TTHMs (Total
trihalomethanes)** and
insert **An/a**

Page 14 65. 327 IAC
8-2.1-6(b)

Delete **Aall** after **Asection 3
of this rule**, and insert **Aa**.

Delete **Asystems** after
Acommunity water and
insert **Asystem**.

Page 15 66. 327 IAC
8-2.1-6(b), Table 53-2:
Regulated Contaminants

Renumber the table **ATable
6-2**.

Page 15 67. 327 IAC
8-2.1-6(b), Table 53-2:
Regulated Contaminants

Delete **APresence of
coliform bacteria in $\geq 5\%$
of monthly samples for
systems serving > 33,000
customers or presence of
coliform bacteria in more
than one sample per
month for systems**

servicing \leq 33,000 customers. under column three titled **AMCL** and insert **5% of monthly samples are positive (systems that collect forty (40) or more samples per month); one (1) positive monthly sample (systems that collect fewer than forty (40) samples per month).**

Page 15 68. 327 IAC
8-2.1-6(b), Table 53-2:
Regulated Contaminants

Delete **E. coli** both times it appears row two, and insert **E. coli**.

Page 21 69. 327 IAC
8-2.1-6(b), Table 53-2:
Regulated Contaminants

Delete **0"** under column two titled **AMCLG** for **73. TTHMs (Total trihalomethanes)(ppb)** and insert **n/a**.

Page 21 70. 327 IAC
8-2.1-6(c)

Insert **The following language shall be used** before **If there is a violation**.

Delete **A, the following language shall be used** after **health effects language is required**.

Page 21 71. 327 IAC

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8-2.1-6(c)(1)(B)

Delete **AE. coli**@ both times
it appears in this clause,
and insert **AE. coli**@.

Page 72. 327 IAC
8-2.1-6(c)(3)(H)

Delete **Ashall**@ after **APeople
with Wilsons Disease**@
and insert **Ashould**@.

Page 24 73. 327 IAC
8-2.1-6(c)(4)(I)

Delete **Amajor**@ after **Ayears could experience**@ and insert **Aminor**@.